



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/924,120	08/08/2001	Mitsuru Sekiguchi	740819-616

22204  
NIXON PEABODY, LLP  
8180 GREENSBORO DRIVE  
SUITE 800  
MCLEAN, VA 22102CONFIRMATION NO. 9991  
FORMALITIES LETTER

\*OC00000006834963\*

Date Mailed: 10/03/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/03/2001 SHINASS1 00000091 09924120

FILED UNDER 37 CFR 1.53(b)


01	PC:101	740.00	OP
02	PC:102	252.00	OP
03	PC:105	130.00	OP
04	PC:139	130.00	OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

A copy of this notice **MUST** be returned with the reply.

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
Mitsuru SEKIGUCHI et al. ) Attention: Applications Branch  
Serial No. 09/924,120 )  
Filed: August 8, 2001 )  
For: SEMICONDUCTOR DEVICE AND )  
METHOD FOR FABRICATING )  
THE SAME )

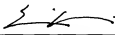
**RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**OF APPLICATION - FILING DATE GRANTED**

Honorable Commissioner for Patents  
Washington, D.C. 20231  
Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, under 37 CFR 1.53(b) dated October 3, 2001, submitted herewith is an executed Declaration and Power of Attorney, an English translation of the application and a copy of Notice to File Missing Parts of Application - Filing Date Granted along with the fees under 37 CFR 1.16. (Statutory Basic Filing Fee - \$740, Surcharge - \$130, Translation Fee - \$130 and Additional Claims - \$504).

The above fees are covered by the attached check in the amount of \$1,252.00. Should there be any additional fees required for proper filing of the attached documents, please charge Deposit Account No. 19-2380. Prompt issuance of a filing receipt is respectfully requested.

Respectfully submitted,

  
Eric J. Robinson  
Reg. No. 38,285

NIXON PEABODY LLP  
8180 Greensboro Drive  
McLean, Virginia 22102  
(703) 790-9110


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<p>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid control number.</p> <p><b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)</p> <p>DEC 04 2001</p>		<p>Application Number 09/924,120</p> <p>Filing Date August 8, 2001</p> <p>First Named Inventor Mitsuru SEKIGUCHI et al.</p> <p>Group Art Unit Unassigned</p> <p>Examiner Name Unassigned</p>
<p>Total Number of Pages in This Submission</p>	<p>Attorney Docket Number 0819-0616</p>	

**ENCLOSURES** (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Other
Remarks <div> <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.         </div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean, VA 22012
Signature	
Date	12-3-01

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Type or printed name	
Signature	Date _____

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, Washington, DC 20231.

# FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

Complete if Known

TOTAL AMOUNT OF PAYMENT (\$1,292.00)

Application Number 09/924,120  
Filing Date August 8, 2001  
First Named Inventor Mitsuru SEKIGUCHI et al.  
Examiner Name Unassigned  
Group Art Unit Unassigned  
Attorney Docket No. 0819-0616

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-2380

Deposit Account Name Nixon Peabody LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

- ☒ Payment Enclosed:

- ☒ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101	201	Utility filing fee	740.00
106	206	Design filing fee	
107	207	Plant filing fee	
108	208	Reissue filing fee	
114	214	Provisional filing fee	

SUBTOTAL (1) (\$) 740.00

### 2. EXTRA CLAIM FEES

Total Claims 20 -20\*\* = 0 X 18 = 0

Independent Claims 6 -3\*\* = 3 X 84 = 252.00

Multiple Dependent =

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103	203	Claims in excess of 20
102	202	Independent claims in excess of 3
104	204	Multiple dependent claim, if not paid
109	209	** Reissue independent claims over original patent
110	210	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 252.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	130.00
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English transaction	130.00
147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	200	200 Extension for reply within second month	
117	920	460	460 Extension for reply within third month	
118	1,440	720	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CR 1.17(g)	
126	180	126	180 Submission of Information Disclosure Statement	
581	40	581	40 Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 300.00

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20531, on \_\_\_\_\_

Name \_\_\_\_\_

### SUBMITTED BY

Name (Print/Type) Eric J. Robinson

Signature \_\_\_\_\_

Registration No. (Attorney/Agent)

38,285

### Complete (if applicable)

Telephone (703) 790-9110

Date

12-3-01



DECLARATION

I, the undersigned, of #407 26-1, Tojijicho, Yanaginobanba Oshikoji Agar, Nakagyo-ku, Kyoto, 604-0956, JAPAN, hereby certify that I am well acquainted with the English and Japanese languages, that I am an experienced translator for patent matter, and that the attached document is a true English translation of

U.S. Patent Application Serial No. 09/924,120 that was filed in Japanese.

I declare that all statements made herein of my own knowledge are true, that all statements on information and belief are believed to be true, and that these statements were made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Signature:

Tomoko Tanaka

Dated: November 20, 2001